

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
-vs-)	No. 20-CR-240-F
)	
BOBBY CHRIS MAYES,)	
)	
Defendant.)	

**UNITED STATES' REQUEST FOR RECONSIDERATION AND STAY
ON PROPOSED RELEASE OF DEFENDANT MAYES AND REQUEST
FOR HEARING THEREON**

On May 3, 2023, the Court held a status conference in the above referenced case. (Doc. 326.) At that conference, the Court announced that in light of certain developments in the case and in Defendant Chris Mayes' family issues, the Court intended to order Mr. Mayes released to home incarceration under very strict conditions. The Court noted that this was going to be ordered over the Government's objection, but instructed the Government and counsel for Chris Mayes to work with the U.S. Probation Office to develop a set of conditions of release consistent with the Court's order and a proposed set of conditions that the Court provided at the conference. Having had the opportunity to evaluate the matter further, the Government continues to have serious concerns about the release of Mr. Mayes and hereby respectfully

requests that the Court reconsider its position regarding the release of Mr. Mayes and/or order that a hearing be held on the matter and to stay any release pending that hearing. The Government bases its request on the following:

As the facts and sequence of the case are well known to the Court, only a brief summary will be offered to frame the issues for this motion. Mr. Mayes was convicted after trial in November 2021 with various crimes related to fraud against lenders of his car dealerships. After trial, the case proceeded with typical post-trial motions. Just prior to a hearing on the post-trial motions, counsel for Mr. Mayes announced that Ms. Wells may have become a fugitive from justice and that simultaneously with her flight, Mr. Mayes also discovered alleged e-mails which purported to exonerate Mr. Mayes and inculcate Ms. Wells and Government witness Andy Elliot. A motion for new trial was filed based on these new alleged e-mails.

Meanwhile, law enforcement was trying to locate Ms. Wells which they ultimately did in Mexico in October 2022. When she and Mr. Landers were brought back, the Government obtained evidence that Mr. Mayes had played a role in Ms. Wells' disappearance, funding the flight, and encouraging them to flee. The Government also confirmed that the alleged new e-mails were fake, that they were not written by Ms. Wells and that therefore they had likely been fabricated by or for the benefit of Mr. Mayes. In short, the Government

believes that Mr. Mayes convinced Ms. Wells to run, intending to try to frame her and obtain a new trial for himself at Ms. Wells' expense.

Based on this information, the Government requested, and the Court issued, a warrant for Mr. Mayes' arrest based on violating conditions of his pre-sentence release. After a contested hearing, the Court ordered Mr. Mayes detained pending sentencing.

In addition, based on Mr. Mayes' conduct after the initial trial, the Government indicted Mr. Mayes a second time based on allegations that he had tampered with the official proceedings in Case No. CR-240-F. In particular, the Government alleged that Mr. Mayes: (1) encouraged and facilitated Ms. Wells' flight to Mexico; (2) participated in the fabrication of the e-mails which were then used to seek a new trial; and (3) fabricated an e-mail that was sent to the Court in October of 2022 that attempted to gin up fake allegations of prosecutorial misconduct against the Government attorneys – also to try to obtain a new trial. The Government alleged that this was all part of a manipulative and deceitful attempt to defraud the Court.

When the Court indicated its intent to order Mr. Mayes released at the status conference on May 3, 2023, there was no formal motion pending by the Defendant, no formal hearing was held, and while the Court received information relevant to the request for release, there was no formal presentation of any evidence. The Government firmly believes that there is

evidence that the Court should hear that bears on this important decision and would request the opportunity to present that evidence *before* any final ruling is made. At such a hearing, the Government intends to present witnesses and evidence that supports all of the foregoing:

- 1) That Mr. Mayes participated in Ms. Wells' flight to Mexico, that the alleged confession e-mails are and were fake, that Mr. Mayes communicated with Ms. Wells in Mexico while she was on the run, meaning that Mr. Mayes knew full well where Ms. Wells was while he was attempting to obtain a new trial from the Court based on false evidence that he knew Ms. Wells would contradict;
- 2) That Mr. Mayes attempted to obtain a firearm and ultimately did obtain a firearm from Brandon Landers prior to the time that Ms. Wells and Mr. Landers fled to Mexico;
- 3) That Mr. Mayes made statements indicating threats of violence to Andy Elliott and his family and others; and
- 4) That Mr. Mayes was attempting to conceal and hide evidence relating to some of the foregoing.

In sum, the Government believes there is evidence, some of which the Court is aware of and some of which it does not, that demonstrates that Mr. Mayes has a history of violent threats, that he has sought and obtained firearms at the same time as those threats, and that he has engaged in a

pattern and practice of manipulation and deceit throughout this case that makes Mr. Mayes both a danger to the community and unlikely to abide by any conditions of release.

CONCLUSION

The Government respectfully requests the opportunity to present evidence on all of the foregoing so that the Court can make a fully informed decision on the release of Mr. Mayes. While the Government is not unsympathetic to the family issues that Mr. Mayes has, those sympathies simply do not overcome the serious and documented pattern and practice of threats and deceit which ultimately led the Government to seek Mr. Mayes' detention pending sentencing in this case.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 5, 2023, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to all ECF registrants of record in this matter.

s/THOMAS B. SNYDER
Assistant United States Attorney